



R-13-01

Zoning Regulations Update

Proposed Text Changes to the
County Zoning Regulations

Board of Supervisors
October 22, 2013



Docket R-13-01

Zoning Regulation Update

- ◆ Last update: June 2008
- ◆ Purpose of update is to clarify, standardize, and simplify the language.
- ◆ Cochise County Comprehensive Plan Section 102.1.A.8.c states:

"The County shall monitor, review, and update the Zoning and Subdivision Regulations, as necessary, to: reduce complexity, contradictions and unnecessary regulations."



Major Changes to Regulations

Editing:

- ◆ References to specific sections of the Regulations such as '1804.03' were changed to refer to articles only such as: 'Article 18.'
- ◆ If the reference is in the same section of the Regulations, it was changed to '1804'.
- ◆ The Arizona Revised Statutes have been renumbered, and likely will be again. All specific references such as: *ARS 11-3948259* were deleted. The reference to the statutes is shown simply as: *ARS (Arizona Revised Statutes)*.



Major Changes to Article 2 "Definitions"

- ◆ Several new definitions added: "Community Gardens, Farmers Markets, and Recycling Drop-Off Receptacles" to address current trends.
- ◆ Definitions that were in the regulations were added to simplify for the users: "Alleys, Right-of-Way or Utility Easement."
- ◆ The definitions of Residential Care Homes and Institutions were modified in number of occupants to meet the State's licensing requirements.
- ◆ Definitions modified to add or simplify the meaning such as adding 'helipads' to Airports and simplifying the definition of 'dwellings'.



Minor Change to Article 4 “Plan Area Designations and Master Development Plans”

- ◆ Section 407.03 -- “motive” changed to ‘Motion.’”

407.03 Planning Commission and Board Actions

Applications for amendments to the Comprehensive Plan, including master development plans, shall be made to the Planning Commission on a form provided by the County Zoning Inspector, and shall be accompanied by the appropriate fee as set forth in the adopted Planning and Zoning Fee Schedule, Public Participation Report, Master Development Plan, if applicable, and supporting documentation. The Planning Commission may initiate amendments to the Comprehensive Plan upon its own motion~~ve~~.



Major Changes to Article 6 "Rural Zoning Districts"

- ◆ Section 603.11 – clarified that gas stations are not a permitted use with a grocery store; but increased square footage of retail sales area as a permitted use.
- ◆ Section 603.13 -- Added 30' maximum height for Communication Towers.
- ◆ Farmers Markets added as permitted uses in the RU, NB, GB, and LI Zoning Districts and as Special Uses in the SM, SR, and MR Zoning Districts.
- ◆ Community Gardens added as permitted uses in the RU, SM, SR, MR, NB, GB, and LI Zoning Districts.



Major Changes to Articles 7-14

- ◆ Section 706.03 (Residential) added fences six-feet in height or less as Permitted Uses without a principle use.
- ◆ Article 10 (Multi-Household Residential) added Daycare Facilities as a Special Use.
- ◆ Article 12 (General Business) changed the setback required from 80-feet to 10-feet for a Special Use.
- ◆ Article 14 (Heavy Industrial)—Added Cemeteries and Medical Marijuana Dispensaries, Dispensary Cultivation Facilities, and Infusion Facilities.



Major Changes to Article 17 "Administration"

- ◆ Section 1704 modified to allow re-establishment of a discontinued residential use without the need for a new permit if the use was permitted previously.
- ◆ Section 1712 provides for extensions on mobile or manufactured home permits.
- ◆ Section 1714 -- Added language per adopted Ordinance regarding fee waivers; surcharges assessed for placing mobile or manufactured homes without a permit.
- ◆ 1715.08 clarifies substandard lots and the remedies for these beyond the lot modification process.



Major Changes to Article 17 "Administration"

- ◆ Section 1716.02 (Special Use Factors) now references the Comprehensive Plan. Previously only referenced applicable area plans or master plans. The change means Comp Plan policies play a greater role in staff recommendations regarding Special Use proposals.
- ◆ Section 1720—Moved Temporary Use Permit administration and procedures from Article 18 to Article 17.



Major Changes to Article 18 "Site Development Standards"

- ◆ 1804.08 no longer requiring permits for unoccupied structures in outdoor permitted display areas.
- ◆ 1805.03.D—Allows screening to begin at 6" above grade when in floodplain.
- ◆ Deleted Section 1812.15—"The number of spaces designed for recreational vehicles shall not exceed 20 percent of the total number of spaces in the park."
- ◆ 1813—Removing requirement for security fence and parking for communication towers.
- ◆ 1825—allowing medical marijuana facilities in Heavy Industry District.



Major Changes to Article 19 "Signs"

- ◆ Re-organized, clarified, and simplified.
- ◆ Removed all reference to content.
- ◆ Removed definition of and reference to 'accessory signs'.
- ◆ Removed On-Site Advertising and Identification Sign classifications; all such signs would now be classified under the existing category of "On-site Permanent Sign."



Major Changes to Article 20 “Exemptions, Exceptions and Nonconformance”

- ◆ 2003.01—Provisions made to maintain legal nonconforming status for those lots combined after 1975 when such combinations reduce (but do not eliminate) said non-conformance.
- ◆ 2003.04—Non-conforming business may expand with a permit as long as it can meet current development standards; apartments, mobile home and RV parks are deemed residential, and may not expand without losing legal nonconforming status.
- ◆ 2003.07—Permits may now be issued for re-roof and other building code repairs for nonconforming lots or parcels.



Staff Recommendation

Staff recommends approval of this Ordinance to amend the Cochise County Zoning Regulations.